

Memorandum

: All Commissioners

Date : December 12, 1969

From : Commission on Peace Officer Standards and Training

Subject: COMMISSION MEETING

Time: Friday, December 12, 1969
9:30 a.m.

Place: Riviera Hotel and Country Club
1600 North Indian Avenue
Palm Springs, California

AGENDA

1. Call to Order.
2. Introduction of Guests.
3. Approval of Minutes of October 22, 1969 Meeting.
4. Certification of Courses.
5. Appeal - City of Sacramento, Request for Retroactive Reimbursement.
6. Financial Report.
7. Approval of Budget, Fiscal Year 1970-71.
8. Old and New Business.
9. Date and Place of Next Meeting.
10. Adjournment.

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

December 12, 1969
Palm Springs, California

The meeting was called to order at 9:30 a.m. by Vice-Chairman Ben Clark. A quorum was present.

Present:

BEN CLARK	- Vice-Chairman
LYELL C. CASH	- Commissioner
JOHN FABBRI	- Commissioner
T. M. HEGGLAND	- Commissioner
R. A. HOUGHTON	- Commissioner
DAN KELSAY	- Commissioner
A. R. McKENZIE	- Commissioner
R. A. SEARES	- Commissioner

Also Present:

GENE S. MUEHLEISEN	- Executive Officer
GEORGE H. PUDDY	- Assistant Executive Officer
CARL R. BALL	- Senior Consultant
LESLIE MENCONI	- Senior Consultant
EUGENE PEMBER	- Consultant
Janice Ramsey	- Supervisor, POST Certification Programs
Imogene Kauffman	- Stenographer

Absent:

EARL R. STRATHMAN	- Chairman
O. J. HAWKINS	- Representative of the Attorney General

Visitors:

Dr. Paul M. Whisenand	- Director, Institute for Police Studies, Calif. State College, Long Beach
Captain Ed Domich	- Coordinator, Sacramento Police Academy
Wm. J. Kinney	- Deputy Chief of Police, Sacramento Police Department
Sergeant Jim Wahl	- Palm Springs Police Department
Inspector M. A. Sgobba	- San Diego Police Department

APPROVAL OF MINUTES

MOTION by Commissioner Cash, seconded by Commissioner Kelsay, carried unanimously, that the minutes of October 22, 1969, meeting be approved as mailed.

CERTIFICATION OF COURSES

Mr. Ball described each course for which certification had been requested.

Executive Development Seminar

California State College at Long Beach

A three-day 24-hour program for police executives to be conducted in a retreat environment and limited to 20 participants. To be conducted as frequently as the demand arises. Course content will vary with each offering due to the changing user needs. A fee of \$175 per person has been set which will include all materials and retreat expenses.

Dr. Paul Whisenand, Cal-State Long Beach, clarified questions on the program. Possible locations, San Dimas or Idyllwild. He requested direction in determining whom the participants might be. For example, would lieutenants and captains, who had completed the Middle Management program and who had been promoted to a higher capacity such as captains who are field commanders, be eligible? Commissioner Fabbri felt this should be restricted to enrollees who had executive level responsibilities, disregarding their rank. Commissioner Seares agreed that participants should be kept at the executive level, as per our specification definition, or division commander level in larger departments. He also suggested that this course be approved on an experimental basis and with the understanding that in the initial enrollment the school be given considerable latitude with the desire to select people who are in executive level positions.

The Executive Officer requested that this be left to the P. O. S. T. staff for screening.

MOTION by Commissioner Fabbri, seconded by Commissioner Cash, carried unanimously that the Executive Development Seminar, California State College at Long Beach, be conditionally certified for one year, and that attendees be in the categories as defined and approved by the P. O. S. T. staff.

Technical and Special Courses

Police-Training Officers Course California State College at Long Beach

An 80-hour (10 day) program for police officers involved in the training process includes training officers, personnel officers and supervisory personnel. A flexible format was proposed basically consisting of lectures, seminars, demonstrations, field experimentation and examinations. To be offered three times annually; participants limited to 20 police officers, tuition \$300 per officer.

The similarity of this course to that under development by Cal-State Los Angeles suggests the probability of offering alternate presentations and sharing findings and conclusions.

There followed a discussion led by Commissioner Houghton regarding course objectives, trainee eligibility and the relationship between this course and the Supervisory Course. He recommended that the course be aimed at full-time instructors. A record of the discussion has been transcribed and retained for staff guidance.

George Puddy stated that the staff is working at present on the suggestion that the Supervisory Course be reviewed, and in addition add an advanced supervisory course at an early date.

MOTION by Commissioner Fabbri, seconded by Commissioner Cash, carried unanimously that the Police-Training Officers Course be certified with the condition that those to be enrolled are in a training capacity or are designated by their executive or administrator to be involved in training as a potential training officer.

MOTION by Commissioner Seares, seconded by Commissioner McKenzie, carried unanimously that the Cal-State Long Beach Police-Training Officers Course be reimbursed the full amount of tuition, actual travel expenses and room and board not to exceed that allowable in the State Board of Control Rules.

It was requested by the Commissioners that in the future when a course is approved for certification the Commissioners would also be approving the type of reimbursement to be allowed. To accomplish this a reimbursement guide is to be prepared which will illustrate every possible formula

available, each labeled by number or letter for easy reference in designating the reimbursement formula recommended for each course being presented for certification.

Seminar on Continuing Legal Instruction
California State College at Long Beach

Course presented by the Institute for Police Studies, Cal-State Long Beach, a 24-hour, three-day seminar consisting of 16 to 18 hours of presentation subdivided into four areas of study. Will use video tapes, course syllabuses and small group discussions. To be conducted as often as the demand arises; participants limited to 30 law enforcement officers. Fee, \$100 per officer. Seminar based on the premise that current, up-to-date legal information is vitally necessary to all law enforcement personnel in administrative and line functions.

Dr. Whisenand stated the course had already been presented once without certification and was very well received. There is a great demand for this type of course. At the suggestion of the Commission, Discretionary Decision Making will be included in the course content. The "California State College at Long Beach Foundation" conducts all accounting for the college and for this service receives 10% of all fees.

Discussion of Training Needs in Application of the Law

It was the opinion of Commissioners Kelsay and Seares that inasmuch as the Long Beach course is designed for all officers, it should be made a part of the Basic and Advanced Officer Courses rather than a separate Technical Course.

Dr. Whisenand stated this course could be designed to meet some of the reservations as concerning the participants, etc., by informing the prospective participants that they would have an obligation to their department to return and engage in perhaps a 16-hour training program, and within this program two or three hours ought to be devoted to the group discussions that would ensue once he had returned, even though he isn't a training officer.

Commissioner Houghton whole-heartedly supported the concept of the course, stating it is needed as it deals with the professional line operation, but that this is an area that P.O.S.T. staff should be examining in depth - what additional types of operational training areas can be devised, as well as methods of implementing them. He further stated that unless the field of continual up-dating of training gets more attention, a total professional job in the State of California will not be done, that some means of

including this type of training in the standard courses must be devised. It may be that this sort of highly skilled group can move from one area to another continually; or develop staffs in different areas where this can be a continuous-type thing. He felt it is an area that must be expanded much more, and just because it is difficult, this should not be a deterrent. He was opposed to trying to train the student to go back to his department and try to become a coordinator, because it hasn't got that built-in skill. He also felt it was very much a Technical Course--the mechanics of the application of the law.

The Executive Officer stated that in the past there have been some package programs which were not a major part of the P. O. S. T. program, but one could be developed that might be, and it could be sent to every college, junior college and academy in the State as a Technical Course for advanced officers. Instructors should also be graduates of this particular course. Commissioner Houghton suggested that inasmuch as the District Attorney's Association is as concerned about the need for this course as the Commission, that the District Attorneys' Association be asked to develop a type of course such as this for the entire State, to be conducted whenever it was needed, with P. O. S. T. financial and technical support. He emphasized that district attorneys should be involved in this kind of training of police officers.

Commissioner Cash pointed up the problem that in some small cities the city attorneys in many cases need more education than police officers. Chairman Clark stated he would personally vote against this particular proposal as there was a necessity to include in this course, as an in-service type of training course, a broader scope. He suggested that Long Beach State, with the P. O. S. T. staff, build on this idea and present it again in 60 days, with the staff work concentrated on the things that have been discussed, such as a position paper and the things of this nature that can be developed and used as a whole rather than taking this course as a partial answer. Commissioner Kelsay felt this course does not answer the volume need as all police officers need it. Commissioner Houghton requested that this course be approved as an experimental course for one year to evaluate the techniques and methods and let Long Beach State get the experience of putting it on. He stated that the things Chairman Clark had requested must be done in many areas--the whole problem of how to meet these critical needs and tremendous training lags.

MOTION by Commissioner Houghton, seconded by Commissioner McKenzie, carried unanimously that the technical course, Seminar on Continuing Legal Instruction,

presented by California State College at Long Beach, be certified for one year and that a follow-up study be made by P. O. S. T. staff and the college for statewide application of this training. Reimbursement for this course to be 50% of salary while in training, plus 50% of actual expenses of meals and lodging where overnight stay is necessitated.

MOTION by Commissioner Fabbri, seconded by Commissioner Heggland, carried unanimously that henceforth any course that is approved for certification, the college presenting the course must have a mailing list to all law enforcement agencies in the State.

Bureau of Narcotics and Dangerous Drugs
Training School for State and Local Law Enforcement

A federal course presented by the Bureau of Narcotics and Dangerous Drugs, two-weeks, 80 hours, currently presented annually in California. The next presentation February 13, 1970, in Palo Alto. Enrollment is restricted to fully sworn peace officers who work as narcotic investigators, 100 officers per course in sections of 50. There is no charge or fee for the course, and certification as a technical course was recommended.

MOTION by Commissioner Fabbri, seconded by Commissioner McKenzie, carried unanimously that the Bureau of Narcotics and Dangerous Drugs Training School for State and Local Law Enforcement be certified as a Technical and Special Course.

Advanced First Aid and Ambulance Procedures
San Diego Police Academy

The San Diego Police Department requested certification as a technical course its 30-hour presentation in advanced first aid and ambulance procedures. It was the opinion of the Commission that this was a controversial area of police responsibility. The depth of first aid a peace officer should administer was also a controversial question. The majority of Commissioners were also of the opinion the course was too restrictive due to its limited application in the State as a police patrol function.

MOTION by Commissioner Houghton, seconded by Commissioner Seares, carried with one objection, that certification of the Advanced First Aid and Ambulance Procedures course presented by the San Diego Police Department be disapproved.

Middle Management Course

Humboldt State College

This is a 100-hour course offered by Humboldt State College in cooperation with the College of the Redwoods, developed in cooperation with the Humboldt State Department of Business Administration. Twenty peace officers from the northernmost part of California are participating in the first course, December 1 - December 12. The second presentation will be offered in the fall of 1970 and thereafter in accordance with needs. A tuition fee of \$300 per student is charged plus \$80 room and board. Ten quarter units will be granted. Grant assistance under L. E. E. P. is available. An individual study project and a detailed critique is required of each student. The curriculum fully meets Commission specifications, and retroactive certification to cover the first presentation was recommended.

MOTION by Commissioner Houghton, seconded by Commissioner Fabbri, carried unanimously that the Middle Management Course offered by Humboldt State College be certified.

Advanced Officer Course

Central Valley Peace Officer Academy

This course is presented at the Stanislaus County Sheriff's Department and is affiliated with Modesto Junior College. Approximately 60 officers from five departments are attending the current offering of 20 hours, consisting of two 10-hour blocks taught by special FBI agents. Presented twice annually, the curriculum will be changed each semester to meet local needs. Approval of unit credits is pending; up to eight units will be granted at the rate of one unit per 25 hours of training. Certification was recommended.

MOTION by Commissioner Fabbri, seconded by Commissioner Heggland, carried unanimously that the Advanced Officer Course offered by the Central Valley Peace Officer Academy be certified.

Saddleback College

To meet the needs of the impact caused by the Western White House an intensive training course for all San Clemente police officers is being

offered by Saddleback College near San Clemente. The course consists of six blocks totaling 50 hours. This course was reviewed by the college faculty, Orange County Sheriff's Office, District Attorney's Office, FBI, U. S. Secret Service and the San Clemente Chief of Police. It meets the needs of the San Clemente Police Department as well as adjacent cities. The school will be open to all qualified law enforcement personnel. It will be offered as often as necessary. Certification was recommended.

MOTION by Commissioner Kelsay, seconded by Commissioner McKenzie, carried unanimously for certification of the Advanced Officer Course at Saddleback College.

Request to Increase the Advanced Officer Course

Inspector Sgobba, San Diego Police Department, reported on the recently approved 40-hour Advanced Officer Course at San Diego Police Department. Since September 22, 1969, 132 officers have completed the course, 120 from San Diego Police Department, and 12 from county agencies. He stated the response had been overwhelming. It was requested that the Commission examine the questionnaires completed at the end of the course, which indicated trainees desire a much larger course. Inspector Sgobba presented a proposed program of topic additions to the course and urged the Commission to raise the reimbursement from 40 hours to 80 for the Advanced Officer Course, starting next July. San Diego presents the present course every other week.

Commissioner Seares said there is a need for the Commission to set up an inspection program involving a continuous sampling of courses by the Commission and a critique of the course from the participants after they have returned to their departments.

APPEAL - CITY OF SACRAMENTO REQUEST FOR RETROACTIVE REIMBURSEMENT

The Executive Officer explained that a former Sacramento police captain failed to apply for reimbursement for an Advanced Officer Course presented at the Sacramento Police Academy in January 1969. The new department administration assumed that the claim had been properly submitted. At the October 22, 1969, Commission meeting retroactive certification was requested to cover this course. A motion was made and seconded for retroactive payment to July 1, 1969, but a vote was not taken. Deputy Chief Kinney of the Sacramento Police Department stated that the new administration intends to follow the P. O. S. T. regulations and requested the Commission reconsider retroactive certification to cover the course presented in January 1969.

MOTION by Commissioner Seares, seconded by Commissioner Houghton, carried unanimously that the Sacramento Police Academy Advanced Officer Training Program be certified commencing with the January 1969 presentation.

APPROVAL OF BUDGET, FISCAL YEAR 1970-71

George Puddy and Les Menconi presented a revised budget in accordance with the request of the Commission at the October 22 Commission meeting. Following a lengthy discussion of various budget items, the budget set forth as Attachment "A" was adopted.

MOTION by Commissioner Kelsay, seconded by Commissioner McKenzie, carried unanimously that the Proposed Budget for Fiscal Year 1970-71 be approved.

FINANCIAL REPORT

Mr. Puddy explained the condition of the Peace Officer Training Fund as of November 1, 1969, set forth in Attachment "B". After discussion of several proposals based on financial projections to July 1, 1970, the Commission concluded that the proposal made by the staff for restoration to cities of the 22% reduction in allocations made following the 1966 allocation year be restored. The estimated amount of this special allocation was placed at \$217,600. It was estimated by Mr. Puddy that the proposed amounts would be available in the Peace Officer Training Fund by July 1, 1970.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, carried unanimously that steps be taken to restore to cities and counties 22% of the 1966 allocation which amounted to \$217,600.

It was recommended by Commissioner Seares that the checks representing the deficiency payment be handled separately from current claims so that the reimbursement would be easily identifiable. Commissioner Houghton suggested that the amount of paper work for the agencies to qualify for the "deficiency payments" be minimized.

The advisability of increasing reimbursement for the Advanced Officer Course from 40 to 80 hours was discussed. Commissioner Fabbri stated that the impact of the Advanced Course had not yet been felt. Beginning July 1, 1971, the Middle Management Course will be a required course and increased reimbursement can be anticipated. Commissioner Houghton inquired if there isn't a system whereby reserve funds can be accumulated based upon a prognosis of growth to guarantee the handling of such problems. The methods of estimating growth were explained by the staff. Factors that could reduce revenues in the future, such as the impact of issuing "Notices of Violation" rather than "Citations," were discussed.

FUTURE HEARINGS

Mr. Puddy presented the following proposed amendments to Specification 11.

1. When financial resources permit, the Commission may increase reimbursement to qualified jurisdictions in accordance with Penal Code Section 13522.
2. The Middle Management Course be reimbursed 100% for travel and tuition, without reimbursement for salary.

(The Executive Officer suggested that the same method of reimbursement be used for Middle Management as is afforded for the Executive Officer Course.)

3. The Basic Course reimbursement be changed from 40-hour increments to anything above 200 hours in increments of two hours.

Mr. Puddy stated the Supervisory Course had not been reviewed in about four years, nor had it been changed since 1964. There is a need to evaluate the course and determine that it does meet present needs; increasing the course to 100 hours for reimbursement purposes to conform with the Executive Development and Middle Management Courses, i.e., 100 hours minimum with maximum reimbursement up to 120 hours.

It was suggested by the Chairman that the three proposals for hearings were procedural, but with the inclusion of the Supervisory Course review, a larger type hearing would be necessitated. In the interim the staff should move ahead rapidly and have a hearing on the three items that are not controversial and start work on the revisions of the Supervisory Course but not schedule it for the same hearing.

MOTION by Commissioner Fabbri, seconded by Commissioner McKenzie that the three proposed amendments to Specification 11 be scheduled for one hearing in Sacramento.

ADMINISTRATIVE COUNSELING FINANCING

Mr. Puddy stated that at the October 22 Commission meeting it was suggested that a new method of financing the Administrative Counseling Service be explored. At present approximately one-third of the administrative budget is expended by the Administrative Counseling Section. It was felt that arrangements could be made to make a grant of service-in-kind to local government when providing them with administrative counseling services. It would be reported as a grant to a city or county, transferring the item from the administrative budget to the reimbursement budget. An Attorney General's opinion on the legality of this procedure has been requested and is pending.

It was directed by the chairman that the staff should follow through on the Attorney General's opinion and further explore this technique of budget accounting for the Administrative Counseling Service.

CERTIFICATION REPORT

Miss Janice Ramsey, supervisor of the certification program, presented the following report on certificates:

Number of Certificates Issued 1964 - 1969

<u>Basic</u>	<u>Intermediate</u>	<u>Advanced</u>
18,149	3,180	4,012

Number of Certificates Issued January 1, 1969 to Present

<u>Basic</u>	<u>Intermediate</u>	<u>Advanced</u>
4,121	1,229	817

Total certificates issued to date . . . 31,508

OLD AND NEW BUSINESS

Specialized Certification Program

The Executive Officer reported an arrangement had been made with the California State Employees' Association for the services of Jim Pinnell, the consultant assigned to C. S. E. A. 's Law Enforcement Council, to counsel department heads of various state agencies on matters that affect state employees. Mr. Pinnell had been working on a training session basis with P. O. S. T. A meeting with representatives of state agencies will be held on December 23 to explain the program. It is hoped that Mr. Pinnell will be able to handle the bulk of routine inquiries for state agencies. Regulations and Specifications for the Specialized Law Enforcement Certification Program will be developed and presented to attendants of the December 23 meeting.

Assemblyman Paul Priolo Meeting

At the request of Commissioner Houghton the Executive Officer reported that on December 2, 1969, Commissioner Houghton and the Executive Officer met with Assemblyman Paul Priolo. Mr. Priolo is on the Public Employees' Retirement System committee that deals with safety members, and his first position was that all safety members should be included in the P. O. S. T. program as he is concerned that there are many peace officers who have the authority to make arrests, who are carrying weapons and are untrained. In lieu of legislation at this time Commissioner Houghton suggested to Mr. Priolo that the staff become involved in helping him write a resolution requesting that a study be made by the Commission to look into the selection and training needs of various categories of peace officers. The report conclusions would enable Mr. Priolo and other legislators to reach a decision as to whether or not legislation would be desirable. The Specialized Certification Program was explained to Mr. Priolo, and it was felt that this satisfied part of the need.

Commissioner Houghton stated that if the Commission would agree to accept the responsibility -- with adequate financing -- to undertake the study, it would result in finding that there are categories of peace officers in the State of California who have what this Commission would indicate a significant law enforcement responsibility, and these groupings would be listed. In those cases minimum standards for employment and training should be recommended. In Commissioner Houghton's opinion, it has opened up, once again, the problem of "what is a peace officer?" as designated in Penal Code Section 830. Commissioner Houghton recommended to the Commission that they accept the responsibilities of such a resolution.

MOTION by Commissioner Houghton, seconded by Commissioner Kelsay, carried unanimously that the Commission staff assist Assemblyman Priolo in the drafting of a resolution requesting that the Commission conduct a survey, to be adequately funded, and that the survey findings result in the identification of categories of law enforcement which in the opinion of the Commission warrant consideration for the establishment of standards, both in employment and training.

ELECTION OF OFFICERS FOR 1970

MOTION by Commissioner Fabbri, seconded by Commissioner Kelsay, carried unanimously that Ben Clark be elected Chairman of the Commission effective January 1, 1970.

MOTION by Commissioner Seares, seconded by Commissioner McKenzie, carried unanimously that Lyell C. Cash be elected Vice-Chairman effective January 1, 1970.

DATE AND PLACE OF NEXT MEETING

It was decided by the Commission that the next meeting would be scheduled at the call of the Chairman during the latter part of February in the Bay Area.

ADJOURNMENT

The meeting was adjourned at 2 p. m.

Respectfully submitted,


GENE S. MUEHLEISEN
Executive Officer

PROPOSED BUDGET FOR FISCAL YEAR 1970-71

Mr. Puddy reviewed the proposed 1970-71 budget in the amount of \$5,615,200 as set forth below:

ALLOTMENT	1969-70 APPROVED	1970-71 PROPOSED
General Expenses (Office - Printing)	\$ 4,900	\$ 6,000
Printing Publications	1,400	5,400
Communications (Telephone - Postage)	5,900	6,500
Travel in-State	20,600	24,000
Travel out-of-State	1,600	2,355
Building Rent	9,000	18,900
Pro Rata Charges	11,800	13,000
Consultant Services	44,510	48,900
Services from Other Agencies	12,000	14,200
Equipment	9,207	2,293
Personal Services (69-70 - 21.5 positions) (70-71 - 25.0 positions)	269,873	<u>304,882</u>
Total Administration	390,790	446,430
Apportionment (Cities and Counties)	<u>4,927,400</u>	<u>5,168,770</u>
Total Budget	<u>\$5,318,190</u>	<u>\$5,615,200</u>

FINANCIAL REPORT

SUMMARY OF CURRENT PEACE OFFICER TRAINING FUND CONDITION

Balance July 1, 1969	\$ 3,065,823
Revenue July 1, 1969 to October 31, 1969	<u>2,619,793</u>
Total Revenue and Resources November 1, 1969 (Fiscal 1969-70)	\$ 5,685,626
Less Operating Expenses 1/3 of 1969-70 Administrative Budget	<u>126,733</u>
Approximate Fund Balance November 1, 1969	\$ 5,558,893